



8 UNITED STATES DISTRICT COURT

9 FOR THE CENTRAL DISTRICT OF CALIFORNIA

10 October 2023 Grand Jury

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 TREVOR JAMES KIRK,  
15 Defendant.

CR No.  
**2:24-CR-00527-SVW**  
I N D I C T M E N T

[18 U.S.C. § 242: Deprivation  
of Rights Under Color of Law]

16  
17 The Grand Jury charges:

18 [18 U.S.C. § 242]

19 A. INTRODUCTORY ALLEGATIONS

20 At times relevant to this Indictment:

21 **Excessive Force Incident Against Victim J.H.**

22 1. The Los Angeles County Sheriff's Department ("LASD") was a  
23 state law enforcement agency within the Central District of  
24 California. LASD deputies were sworn law enforcement officers.

25 2. Defendant TREVOR JAMES KIRK was a sworn LASD deputy  
26 assigned to work at an LASD station in Lancaster, California.

27 3. Victim J.H. was a 58-year-old Black female.

28 4. D.B. was a 56-year-old Black male.

1       5. On or about June 24, 2023, defendant KIRK and another LASD  
2 deputy ("Deputy A") responded to a call for service at a grocery  
3 store in Lancaster. LASD dispatch said there was a "211 now,"  
4 referring to the California Penal Code section for robbery, and  
5 provided a description of two suspects matching D.B. and Victim J.H.  
6 There was no allegation that either D.B. or Victim J.H. had a weapon.

7       6. In the parking lot of the grocery store, Deputy A  
8 encountered D.B. holding a cake he had lawfully purchased at the  
9 grocery store. Defendant KIRK and Deputy A proceeded to handcuff and  
10 detain D.B. and allowed Victim J.H. to remain in the driver's seat of  
11 her car behind defendant KIRK.

12       7. Victim J.H. then got out of her car, stood in the parking  
13 lot, and filmed defendant KIRK and Deputy A handcuff D.B. As Victim  
14 J.H. filmed D.B.'s detention, Victim J.H. told defendant KIRK and  
15 Deputy A that they had a legal obligation to inform D.B. of the basis  
16 for his detention. Victim J.H. visibly held out her phone and told  
17 defendant KIRK and Deputy A that her video of them was being  
18 broadcast on social media.

19       8. Defendant KIRK approached Victim J.H. Without giving any  
20 commands to Victim J.H., defendant KIRK attempted to grab Victim  
21 J.H.'s phone. Victim J.H. turned away from defendant KIRK, and  
22 defendant KIRK was unable to seize Victim J.H.'s phone. Defendant  
23 KIRK grabbed Victim J.H. by her arm, hooked his left hand behind her  
24 neck, and violently threw Victim J.H. to the ground.

25       9. While on the ground, defendant KIRK yelled at Victim J.H.  
26 to "get on the ground." Victim J.H. responded, "It's already on  
27 YouTube Live," implying that her video of defendant KIRK and

1 Deputy A handcuffing D.B. had already been made public. Defendant  
 2 KIRK replied, "Stop, I don't give a sh . . . . Stop."

3       10. Defendant KIRK then placed his knee on Victim J.H.'s  
 4 shoulder. When Victim J.H. yelled at defendant KIRK to "stop" and  
 5 called him an expletive, he cocked his right arm back with a clenched  
 6 fist and said, "Stop or you're gonna get punched in the face."

7       11. Victim J.H. told defendant KIRK that she would sue him if  
 8 he punched her. Victim J.H. also said, "I got it on camera," again  
 9 referencing that she had recorded D.B.'s detention. Defendant KIRK  
 10 said, "Stop. Turn around," and then pressed his knee into Victim  
 11 J.H.'s neck. Victim J.H. said, "Get your neck off my . . . off my  
 12 . . . I can't breathe."

13       12. While on top of Victim J.H., defendant KIRK used his LASD  
 14 radio to misleadingly report that he was "in a fight."

15       13. Shortly thereafter, without giving any additional commands  
 16 to Victim J.H., defendant KIRK sprayed Victim J.H. twice in the face  
 17 with oleoresin capsicum ("OC") spray, also known as "pepper spray."

18           **Injuries to Victim J.H. as a Result of Excessive Force**

19       14. Victim J.H. received medical treatment at a hospital  
 20 approximately 40 minutes after the assault. In addition to physical  
 21 pain, Victim J.H. suffered a blunt head injury, contusions and  
 22 abrasions on multiple parts of her body, chemical conjunctivitis, and  
 23 contact dermatitis, among other physical injuries.

24           **Misleading LASD Report to Conceal Excessive Force**

25       15. Defendant KIRK later drafted and submitted to LASD a  
 26 misleading report in which he portrayed Victim J.H. as a threat to  
 27 his physical safety. Defendant KIRK misleadingly claimed, among  
 28

1 other things, that Victim J.H. assaulted him, attempted to hit him,  
2 and took a "fighting" or "blading" stance.

3 ///

4 ///

5 ///

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

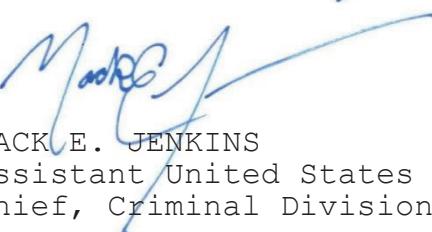
1 B. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

2 16. On or about June 24, 2023, in Los Angeles County, within  
3 the Central District of California, defendant TREVOR JAMES KIRK, then  
4 a sworn law enforcement officer employed by LASD, while acting under  
5 color of law, assaulted Victim J.H., including with a dangerous  
6 weapon, namely, OC or pepper spray, and caused bodily injury to  
7 Victim J.H., and thereby willfully deprived Victim J.H. of rights  
8 secured and protected by the Constitution and the laws of the United  
9 States, namely, the right to be free from the use of unreasonable and  
10 unnecessary force by a law enforcement officer.

11 A TRUE BILL

12  
13 /s/  
14 Foreperson

15 E. MARTIN ESTRADA  
16 United States Attorney

17 

18 MACK E. JENKINS  
19 Assistant United States Attorney  
Chief, Criminal Division

20 LINDSEY GREER DOTSON  
21 Assistant United States Attorney  
22 Chief, Public Corruption  
and Civil Rights Section

23 CASSIE D. PALMER  
24 Assistant United States Attorney  
Deputy Chief, Public Corruption  
and Civil Rights Section

25 ELI A. ALCARAZ  
26 Assistant United States Attorney  
Public Corruption and Civil  
27 Rights Section